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STATEMENT
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Massive human rights abuses of East Timor should not go unpunished

International Service for Human Rights

Service International pour les Droits de l'Homme

Servicio Internacional para los Derechos Humanos

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Whilst welcoming the news of the agreement to deploy a UN peacekeeping force in East Timor, the International Service for Human Rights appeals to the members of the United Nations and in particular its Commission on Human Rights, to take the necessary actions to ensure that, as Mary Robinson has stated *"the savage violations of human rights in East Timor"* (11th September, Darwin) do not go unpunished.

The urgently needed international peacekeeping force is unlikely to have the mandate to investigate the widespread abuses nor the competence to detain the violators. Furthermore, they will be cooperating with the Indonesian Military to restore the law and order that the latter have allowed to collapse since the revelation of the massive support for independence, in the ballot of 30th August 1999. Allegations abound of the role of the Indonesian Army in supporting the violence of the militias over the past two weeks. Koffi Annan has said that he was *"shocked ... that a Government with such a large army is unable to bring the situation under control"* (10th September, New York). Allowing the militias to run amok is in contravention of the 5th May agreement signed between the Government of Indonesia and Portugal. Article 6 of this agreement states that should the East Timorese people vote for independence *"the Governments of Indonesia and Portugal and the Secretary-General shall agree on arrangements for a peaceful and orderly transfer of authority in East Timor to the United Nations."*

We therefore, support the initiative of the Government of Portugal, on Friday 10th September, to call for a special session of the Commission on Human Rights (CHR). A majority of the fifty-three members of the CHR must now indicate to the High Commissioner for Human Rights their support for the convening of this UN body. The session should consider various options of appropriate action to stop and investigate the massive abuses over the last month. Apart from the possible appointment of a Special Rapporteur on Indonesia and East Timor, the session could also consider a joint visit of existing relevant thematic rapporteurs.

However, given the scale and systematic nature of the violence, the session ought to seriously consider recommending to the UN Security Council, the High Commissioner for Human Rights' recent proposal (13th September, Jakarta) to establish an International Commission of Inquiry as a step towards *"establishing accountability for the violations committed in the territory,"* which could lead to a special Tribunal to prosecute crimes against humanity.

This would also appear to be the most adequate response to our serious concern, which is shared by the UN Secretary-General that: *"what is happening in East Timor may well fall into various categories of international crime. The individuals who have ordered and carried out these crimes must be held accountable"* (11th September, New York).

We therefore trust that a majority of State members of the UN Commission on Human Rights will register their agreement before 6:00 p.m. on Thursday, 16th September, to hold a special session and thus take a stand that could help to bring to an end the suffering of thousands of innocent East Timorese people.

Geneva
14th September 1999

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